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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
BILLINGS DIVISION

SUZY ENBERG

Plaintiff,

vs.

AMERICAN HOME ASSURANCE
and SEDGWICK CLAIMS
MANAGEMENT SERVICES, INC.)

Defendants.

Cause Number CV-11-125-BLG-RFC

RULE 26(F) DISCOVERY PLAN

COMES NOW the plaintiff Suzy Enberg, by and through her counsel of record Geoffrey C. Angel, and hereby files the following discovery plan on behalf of all parties resulting from the Rule 26(f) conference. This discovery plan is filed pursuant to the Federal Rules of Civil Procedure, Local Rule 26.1 of the United States District Court for the District of Montana and the Order Setting Preliminary Conference filed January 3, 2012.

PROPOSED SCHEDULE OF DISCOVERY

The parties agree that all discovery shall be complete in accordance with the Federal Rules of Civil Procedure no later than September 28, 2012. Amendments and joinder of parties shall be completed no later than March 23, 2012. The parties shall simultaneously disclose liability experts and plaintiff's damage experts on or before June 29, 2012. Defendant shall disclose damage experts on or before July 27, 2012. The parties shall disclose rebuttal experts within 30 days of the other

1 party's disclosure of experts. All motions except those in the nature of motions in
2 limine shall be filed on or before 30 days after the close of discovery (October 26,
3 2012).

4 Discovery may be needed on the following subjects and not in phases:

- 5 1. Sedgwick's investigation into the accident, injuries and need for
6 medical treatment.
- 7 2. Sedgwick's conduct in adjusting the underlying WCC claim.
- 8 3. Sedgwick's contract with American Home Assurance.
- 9 4. Sedgwick's entire claims file to the extent the material is not
10 privileged.
- 11 5. The correspondence and conversations between the parties.
- 12 6. Suzy Enberg's medical records.
- 13 7. Damages and losses claimed by the Plaintiff.
- 14 8. Any other matter relevant to the resolution of the claims asserted in
15 this action.

16 **LIMITATIONS ON DISCOVERY**

17 None anticipated by the parties at this time.

18 **OTHER PROPOSED ORDERS ON DISCOVERY**

19 None anticipated by the parties at this time. The parties will exchange initial
20 disclosures. The parties do not anticipate any issues regarding production of
21 electronically stored information. Sedgwick's electronic information will be
22 produced in paper format. The parties do not foresee any issues regarding claims
23 of privilege or protection other than those identified in the subjects of discovery
24 above. The parties do not anticipate the need for protective orders at this time.

25 Counsel for plaintiff has conferred with counsel for defendant and has made
26 a reasonable effort to reach agreement with opposing counsel on the matters set
27 forth in the discovery plan.
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2 DATED this 31st day of January 2012
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5 /s/ Geoffrey C. Angel
6 Geoffrey C. Angel
ANGEL LAW FIRM
Attorney for Plaintiff
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9 **CERTIFICATE OF SERVICE**

10 I hereby certify that on this 31st day of January 2012 I caused a true and
11 correct copy of the foregoing document to be served upon the opposing party or
12 counsel by electronic filing and via United States Mail, First Class mail, postage
13 prepaid and addressed as follows:

14
15 Gerry P. Fagan
George Kimmett
Moulton Bellingham PC
16 27 North 27th Street, Suite 1900
Billings, Montana 59103-2559
17

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19 ANGEL LAW FIRM
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21 /s/ Geoffrey C. Angel
22 Geoffrey C. Angel
ANGEL LAW FIRM
Attorney for Plaintiff
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